

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

TOMMIE JARED LOWDER

PLAINTIFF

v.

Civil No. 06-5031

SHERIFF TIM HELDER;  
DEPUTY FOSTER; DEPUTY  
WHITMILL; DEPUTY BALL;  
and DEPUTY GOODHEART

DEFENDANTS

**ORDER**

On November 27, 2006, plaintiff filed a motion to compel answers to discovery requests (Doc. 37). Plaintiff states he propounded his first set of interrogatories (consisting of one interrogatory) to the defendants on July 26, 2006. To date, plaintiff states he has not received defendants' response or any communication from the defendants regarding their response. Defendants have not responded to the motion to compel.

Under the Federal Rules of Civil Procedure, defendants had thirty (30) days to respond to the discovery requests. Fed. R. Civ. P. 33(b)(3) & 34(b). Defendants did not request an extension of time to respond to the discovery requests. Therefore, defendants have failed to respond in the time provided by law.

Accordingly, plaintiff's motion to compel is granted. Defendants are directed to provide plaintiff with the required response to the discovery request **by 5:00 p.m. on December 29, 2006.**

DATED this 18th day of December 2006.

/s/ Beverly Stites Jones  
UNITED STATES MAGISTRATE JUDGE